

G R S App F IX 4]

✓
1942-

File No 135-42

Serial Nos 5, 6

Previous References

hul 136-41 1, 2, 3
h c 98-39, 2, 5

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for Nov 42

SUBJECT

construction of a house by one
Venkataswamyappa within the road
margin of Mavras - Cannanore road at
Hoskote Town

To,

The D C Bangalore

24841 dt 16 11 42

Directs that the building
in question may be permitted
to stand

hul 12 12 42

Construction of a house by one
within the road margin in Hosakote town.

2236

(1)

General and Revenue
Secretariat

File No

of 194 2

[App F III-2

Serial
No

from the D.C Bangalore Dt.

Letter no MB 3263/412 of 5-10-42, requests
in the circumstances a sanction, to permit
the house constructed by one Venkataswami
Iya of Hosakote town within road margin,
to be allowed to stand, even though it is
contrary to the standing order of Govt.

The G.O. relating to the rules re
the construction of houses by roadside in the
Municipalities referred to by the H.W. Dept., is
not applicable in the absence of a rule.

R'

A G.O. regulating the construction of
buildings by Municipalities on roadsides is put
up for perusal. The H.W. Dept. may perhaps be
requested to put up the G.O. referred to by the
Asst. Engineer (now by term fixed).

O'

X'

Subd.

The circumstances under which
the building was allowed to be constructed
are set forth in the P. & D. Before the party
was granted license, the authorities ^{could} ~~should~~
have verified the position with reference
to standing order of Govt.

If the building is ordered to be
demolished it would be the party's loss.

Construction of house - within road margin -
at Hosakote Zunn

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It is allowed to stand it would create
an inconvenient precedent. The two
courses of action are perhaps justifiable
in this case.

(1) To have the building demolished and
to adequately compensate the party.

(2) To allow the building to stand, as recommended, ^{of the}
as a special case, on the condition that it
will not hold as a precedent for others.
Sd/- P. order

ⁱⁿ ^{no. 95}

The construction of the
house on the Madras - Cannanore Road
at Hosakote Zunn ^{said to be} is within the road
margin and is ^{said to be} against the
instructions conveyed in G.O. no. 24808-27

ml 98-395 dated 18th Nov 1939
directing that the road margin in the case
of newly opened roads should be fixed at
40 feet from the extreme boundary of the
land width or 75 feet from the centre of
the road whichever is less. But this
order is applicable only to the newly opened
roads.

The order applicable to this case appears
to be G.O. no. 9907-37/ml 163-28-7
dated 16th June 1931 according to which
the case of existing roads,
minimum margin of 20 feet should

2/

(2)

General and Revenue
Secretariat

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of 194

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No

be kept the margin being reduced to
10 feet in special cases. In this
view there does not appear to be any
deviation from the rule.
The Chief Eng. may also be consulted
on the point.

Law Secy for
16/11/42
17/11/42



no 91 of 19-10-42

Forwarded accordingly with reference
to the Chief Engineer of Mysore P.O.
for issue of appropriate remarks.

B.O.
for amachandran
18/11/42
Law Secy

no 226
1/12/42

6 11 42

Returned, with compliments, to the Secretary
to Government, Law Department

2. There seems to be no deviation from the G.O.
of 1931, hence the building in question may be permitted
to stand.

Chief Engineer of Mysore

A K /5-6th

11/11/42

11/11/42

Supp reply accepted
11/11/42

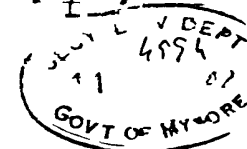
WD 041 5-GPB-56 000-23-10-41

0 7 168
21 10 42
1/12/42

(16)
a report from
S.E.C.

19/10/42
9/10/42

11/11/42



NOTE—Cont Sheet

Production of house - 1. The road map
in House book 2000

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No

Draft reply to be made
to M
12/11/42

same

12/11/42

12/11/1942
CT

No. 4841/O 16 11 1942, states
that the building in question may
stand where it is
to be built on the
Chay Camp

3/16
12/11/42

No M6-3263/41-42
Encl One file

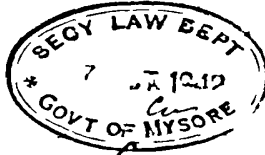
2230/1
Office of the Deputy Commissioner,
Bangalore District,
Dated, Bangalore, 5th Octr , 1942

From

Mr H
C M H Ranajodha Singh, Esq , B A ,
Deputy Commissioner,
Bangalore District,
Bangalore

To

SLC
C Narayanaswami Naidu, Esq , B A , B L ,
Secretary to Government of His Highness
the maharaja of Mysore,
Law Department,
Bangalore



Subject - Construction of a house by one Venkata-
shamappa within the road margin of Mad-
ras - Cannanore road at Hoskote Town

oOo

Sir,

I have the honour to state that on the application of one Venkatashamappa (an adikarnataka) the Municipal Council of Hoskote granted a license for the construction of a house in Kh No 1416 of Hoskote Town One of the conditions of the license was that a road margin of 20 feet should be left for the construction of the Building The license was issued on 16-2-1939 and the party began the construction of the building

2 The Assistant Engineer, Bangalore Sub Division brought to the notice of the Municipal Council on 26-9-1939 that the construction of the above building within a margin of 75 feet from the Madras - Cannanore road was contrary to standing orders of Government This was also brought to the notice of the Deputy Commissioner by the Executive Engineer By this time the party had already constructed half portion of the building, but orders were issued to stop further work

3 The party was all along petitioning stating that he was a poor adikarnataka and had spent considerable amount for the construction of the building and that he would be ruined if the building was demolished on the score of insufficiency of road margin The Municipal Council resolved at their meeting held on 20-12-1941 that they were ignorant of the rules of road margin when the license was issued and that as the building is

question

question was beyond the check drain, it might be kindly allowed to stand Both the Amildar President and the Sub Division Officer supported the recommendations of the Municipal Council

T 4 A neat sketch of the building showing the road margin etc , prepared by the local sub-overseer is enclosed for favour of reference It is seen therefrom that the measurement of the building is 30' x 12' The distance between one edge of the ~~xxx~~ building and the centre line of the road is 45' and from another edge it is 51 feet The distance between the edges and the check drain of the road is only 4' and 13' respectively It is reported that there would be no space for the construction of the building on the party's site if the road margin of 75 feet is insisted upon My Predecessor in Office who inspected the spot has observed that the building might stand as it was at a safe distance from the road margin The building is neatly constructed and does not mar the beauty of the provincial road

'Z' 5 The Executive Engineer, Bangalore Division, whose views were called for in the above circumstances, ~~has~~ has stated that the building may be allowed to stand subject to the ~~xxxx~~ ~~xxxxmayxxxx~~ sanction of Government to the deviation of Road margin rules in this case Copy of his letter No 142, dated 16-9-1942, is enclosed for favour of reference I therefore request that in the circumstances ~~of~~ sanction of Government may be kindly obtained to the deviation from the prescribed road margin in the above case The Municipal Council have been instructed not to give room to such irregularities in future Conn records accompany for favour of reference and return

I have the honour to be,
Sir
Your most obedient servant,

PBS Senguanayana

for Deputy Commissioner,
Bangalore Dist

Letter No. 142, dated 11/16th September, 1942, from the
Executive Engineer, Bangalore Division, to the Deputy Commissioner,
Bangalore District, Bangalore

Re Construction of a building at Madras - Cannanore
road Hosakote by one - Venkatashamappa

with reference to your letter No Mb 3263/41-42, dated
4th September, 1942 on the above subject, I have the honour to
state that the building may be permitted to stand in the cir-
cumstances stated and the sanction of Government to the devia-
tion may kindly be obtained

The file of records forwarded with your letter under
reference is herewith enclosed

COPY

RS, Sanyal

For Deputy Commissioner,
Bangalore District

SPH

Resubmission in the name

according to which ^{regard to the} ~~in the~~ ^{already} ~~of~~ ^{existing}
^{already existing -} ~~road~~ a minimum margin of 20 ft should
 be kept, the margin being ^{permitted to be even} reduced to 10 ft
 in special cases. I am therefore to state
 that ^{as} there is no deviation from the ^{visions conveyed in the} ~~to~~ ^{of} 1931,
 the building in question may ^{be allowed to} ~~be~~ ^{be} ~~be~~
 the records accompany

I have etc

for

to Low Co
 12/11/32

Memo no 4842 & 16 11 42

copy to the Chief Engineer
 PWD from upn w/n 15/11/32
 note no 2 26-27 6/11/32

no

for

Messrs
 Law Dept.

